



**Minutes of the  
City Commission for the City of Traverse City**

**Regular Meeting**

**February 1, 2016**

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

Mayor Jim Carruthers, Mayor Pro Tem Ross Richardson, Brian Haas, Gary Howe, Richard I. Lewis, Amy Shamroe, and Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Carruthers presided at the meeting.

As requested by Mayor Pro Tem Ross Richardson, Agenda Item 2(j) be removed from the Consent Calendar for individual consideration by the Commission.

As requested by Rick Buckhalter, Agenda Item 2(b) and 2(h) be removed from the Consent Calendar for individual consideration by the Commission.

**2. Consent Calendar**

Moved by Howe, seconded by Richardson, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. the minutes of the January 19, 2016, Regular Meeting, be approved.
- b. Removed from the Consent Calendar.
- c. the City Manager be authorized to issue a purchase order to Lesman Corporation in the amount of \$7,192.48 for the purchase of a 3" Maxon

shut-off valve for the Wastewater Treatment Plant, with funds available in the Sewer Fund.

- d. the City Manager be authorized to issue a confirming purchase/service order in the amount of \$11,058.61 to Lemmon Oil Company for 10,001 gallons of dyed #2 ultra-low sulfur diesel fuel without additives priced at \$1.10575 per gallon with funds available in the Garage Fund.
- e. that the settlement agreement in the matter of Zagunis v. City of Traverse City (Grand Traverse County Circuit Court Case No. 12-29494-NO) described in the memorandum from the City Attorney dated January 25, 2016 be approved and that the Mayor and City Clerk be authorized to sign any necessary documents to effect the settlement, subject to approval as to their substance by the City Manager and form by the City Attorney.
- f. the Mayor and City Clerk be authorized to execute an Intergovernmental Agreement with Grand Traverse County for management of the Senior Center for a term of five years, expiring December 31, 2021, subject as to its substance by the City Manager and its form by the City Attorney.
- g. a public hearing regarding the grant application to the Michigan Natural Resources Trust Fund for funds to support phase one of the Hickory Hills improvements, be scheduled for Tuesday, February 16, 2016.
- h. Removed from the Consent Calendar.
- i. the City Commission authorizes the re-establishment of the position of Human Resources Director within the non-union, Administrative, Confidential and Technical (ACT) Employee Group; and that a budget amendment be authorized to decrease contingencies by \$25,000 and increase the Human Resources budget within the General Fund by \$25,000.
- j. Removed from the Consent Calendar.
- k. the Resolution Amending the 2006 Resolution Granting Partial Tax Exemption for Bay Hill Housing Development for the property at 600 Bay Hill Drive which contains 90 workforce housing/affordable rate units to Hollander Development Corporation, be adopted; and further that the Mayor and City Clerk execute a municipal services agreement with Hollander

Development Corporation, for it to pay the City \$18,000 annually for City services, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

- l. the Mayor and City Clerk execute a three-year agreement with KONE for it to provide elevator maintenance at the Larry C. Hardy and Old Town Parking Garages, with funds available in the Auto Parking System Fund, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

CARRIED unanimously

**Items removed from the Consent Calendar**

a.

Consideration of adopting a resolution granting approval of a request from The Woda Group for a Payment-in-Lieu of Taxes (PILOT) arrangement for a housing development at the southwest corner of Pine Street and West Front Street, for citizens of low income; and consideration of authorizing the related municipal services agreement.

The following addressed the Commission:

Marty Colburn, City Manager

Lauren Tribble-Laucht, City Attorney

Moved by Richardson, seconded by Shamroe that the Resolution Granting Tax Exemption for the property at the southwest corner of Front and Pine Streets which will contain 64 workforce housing/affordable rate units to 77 Pine Limited Dividend Housing Association, Limited Partnership, establishing Payment In Lieu of Taxes (PILOT) for affordable and workforce housing, be adopted; and further that the Mayor and City Clerk execute a municipal services agreement with 77 Pine Street Limited Dividend Housing Association, Limited Partnership, for it to pay the City \$12,500 annually for City services, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

Michael Jackson, 217 Sixth Street

Bill Kirschke, 515 Fifth Street

Stewie Zacks, 203 Wadsworth Street

Rick Buckhalter, 932 Kelley Street  
Lavern Broughton, 611 Hastings Street  
Ann Rogers, 1236 Peninsula Drive  
Tony Lentych, Traverse City Housing Commission, 718 Highland Park Drive

Roll Call:

Yes – Haas, Howe, Lewis, Shamroe, Werner, Richardson

No – Carruthers

CARRIED.

b.

Consideration of authorizing a confirming emergency service order for emergency services in connection January 2, 2016, watermain break at Pine and State Street.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Richardson, seconded by Werner that the City Manager be authorized to issue a confirming service order to Molon Excavating, Inc. in the amount of \$28,423.87, for emergency water main repairs at Pine & State Streets, with funds available in the Water Funds.

Rick Buckhalter, 932 Kelley Street

CARRIED unanimously.

c.

Consideration of scheduling a public hearing regarding the Five-Year Parks and Recreation Plan for Tuesday, February 16, 2016, as recommended by the Parks and Recreation Commission and Planning Commission.

The following addressed the Commission:

Marty Colburn, City Manager  
Rick Buckhalter, 932 Kelley Street

Moved by Haas, seconded by Shamroe that a public hearing regarding the City of Traverse City Parks and Recreation Plan, 2016-2021, be scheduled for Tuesday, February 16, 2016.

CARRIED unanimously.

### **3. Old Business**

#### **3(a).**

Consideration of a request from Commissioner Richard Lewis for the City Commission to consider tabling a contract amendment for professional services associated with finalizing the appropriate permit applications to the Michigan Department of Environmental Quality for the Public Pier.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Lewis, seconded by Howe, that the amendment to the consultant agreement with SmithGroup JJR, dated August 5, 2014, for services in conjunction with preparation and submittal of permit applications to the Michigan Department of Environmental Quality as it relates to the Traverse City Public Pier Project, be tabled until April 4, 2016, with a condition that 80% of the proposed funds be available from the private sector.

Greg Klang, 1422 Arnold Court, business owner  
Ann Rogers, 1236 Peninsula Drive  
Rick Buckhalter, 932 Kelley Street

Roll Call:

Yes – Lewis

No – Howe, Shamroe, Werner, Richardson, Carruthers, Haas

FAILED.

**3(b).**

Informational update on the West Boardman Lake Trail Project.

The following addressed the Commission:

Marty Colburn, City Manager

Julie Clark, Executive Director of TART Trails

Scott Post, Civil Engineer, Prein & Newhoff

Matt Levandoski, Landscape Architect, Prein & Newhoff

**4. New Business**

**4(a).**

Consideration of a request from Mayor Jim Carruthers for the City Commission to adopt a resolution in support of House Resolution 182, requesting State of Michigan Officials shut down the Enbridge Pipeline, which transports oil underneath the Straits of Mackinac.

The following addressed the Commission:

Liz Kirkwood, Executive Director of FLOW

Moved by Lewis, seconded by Shamroe, that the Resolution of Support to Stop the Transportation of Oil Under the Great Lakes, be adopted.

Chris Maxbauer, 503 West Eighth Street

Mary Vanvalin, 871 Webster Street

Ann Rogers, 1236 Peninsula Drive

Hans Voss, 727 Washington Street

Craig Patterson, 722 Lakeside Drive, Mackinaw City

Kate Madigan, 400 Boughey Street

Chris House, 6830 Randall Woods Drive

David Petro, 9988 Riley Road, Interlochen

Rick Buckhalter, 932 Kelley Street  
June Thaden, 520 Highland Park Drive

Roll Call:

Yes – Lewis, Shamroe, Werner, Richardson, Carruthers, Haas, Howe

No – Werner

CARRIED.

**4(b)**

Consideration of adopting a resolution in opposition to Public Act 269, which prohibits communication from public officials regarding ballot measures within 60 days in advance of the subject election.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Richardson, seconded by Haas, that the Resolution of Opposition to Public Act 269, be adopted.

Christine Maxbauer, 503 West Eighth Street  
Tony Lentych, 718 Highland Park Drive  
David Petro, 9988 Riley Road, Interlochen

CARRIED unanimously.

**5. Appointments**

**5(a).**

Consideration of appointing an ad hoc committee to develop a proposed policy regarding payment-in-lieu-of-tax (or PILOT) arrangements.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Howe, seconded by Richardson, that a City Commission Ad Hoc Committee Regarding Payment in Lieu of Tax (PILOT) Arrangements to develop a proposed policy and develop actions steps for other recommendations from the Joint Housing Task Force Report from April, 2015 be established; and that Commissioners Howe, Haas, and Richardson be appointed to such Committee with Commissioner Howe to serve as Chair.

CARRIED unanimously.

## **6. Reports and Communications**

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the Deputy City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
  - 1. Reports from members of the Commission serving on boards.
  - 2. Quarterly Report from Traverse City Parking Services for the second quarter, September through December 2015.
  - 3. 2015 Annual Report for Code Enforcement.
- e. Reports and correspondence from non-City officials.
  - 1. Minutes of the Traverse Area District Library Board of Trustees meeting of August 20, 2015.

## **7. Public Comment**

The following addressed the Commission:



1. Reserved.

None

2. General.

Chris Maxbauer, 503 West Eighth Street  
Ann Rogers, 1236 Peninsula Drive  
Rick Buckhalter, 932 Kelley Street

3. Mayor and City Commissioners.

Commissioner Gary Howe  
Commissioner Tim Werner  
Mayor Jim Carruthers

## **8. Adjournment**

There being no objection, Mayor Carruthers declared the meeting adjourned at 9:32 pm.

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Katelyn Zeits, CMC  
Deputy City Clerk

Approved: \_\_\_\_\_, \_\_\_\_\_  
(Date) (Initials)